

David C. Powell (SBN 129781)  
Heather B. Hoesterey (SBN 201254)  
REED SMITH LLP  
Two Embarcadero Center, Suite 2000  
San Francisco, CA 94111-3922

**Mailing Address:**  
P.O. Box 7936  
San Francisco, CA 94120-7936

Telephone: 1 415 543 8700  
Facsimile: 1 415 391 8269

Attorneys for Defendant and Cross-Complainant  
Wells Fargo Bank, N.A.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AUDREY MCNAMARA NEVIS,  
Plaintiff,

vs.

WELLS FARGO BANK, EXECUTIVE  
FINANCIAL LENDING INC., JOHN B. SPEAR,  
SHAI MOSHE, GATEWAY TITLE COMPANY,  
QUALITY LOAN SERVICES CORP. and DOES  
1-100, inclusive,

Defendants.

WELLS FARGO BANK, N.A.,  
Cross-Complainant,

vs.

EXECUTIVE FINANCIAL LENDING, INC., a  
California Corporation; JOHN B. SPEAR, an  
individual; and SHAI MOSHE, also known as  
EDISON MOSHE, an individual,

Cross- Defendants.

No.: C-07-2568 MHP

**STIPULATION REGARDING  
PRESERVATION OF EVIDENCE;  
[PROPOSED] ORDER**

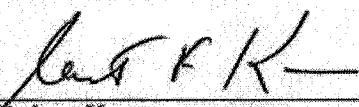
IT IS HEREBY STIPULATED, by and between the parties hereto, through their respective  
counsel of record, pursuant to this Court's March 27, 2008 Status Conference Order and Paragraph 6  
of the Standing Orders for All Judges for the Northern District of California regarding Case

1 Management Conference Statements, and pursuant to their duties to preserve evidence that may be  
 2 relevant to this action pursuant to the Federal Rules, as follows:

3  
 4 The parties do not contemplate any issues regarding the preservation of evidence as the scope  
 5 of relevant documents is narrow, and relevant documents have been and will be disclosed in the  
 6 parties' initial disclosures. The parties are aware of and hereby stipulate to abide by their  
 7 responsibility under the Federal Rules to preserve evidence relevant to the issues reasonably evident  
 8 in this action, including electronically-stored evidence, and have taken steps to preserve all such  
 9 evidence and prevent destruction of any such evidence under any document or data destruction  
 10 program that would otherwise prevent them from fulfilling their responsibilities.

11  
 12 DATED: March 28, 2008

13 LAW OFFICES OF ROBERT KANE COMMUNITY  
 14 LEGAL SERVICES  
 15 IN EAST PALO ALTO

16 By   
 17 Robert Kane  
 Shirley Hochhausen  
 Attorneys for Plaintiff Audrey McNamara Nevis

18 DATED: March \_\_, 2008

19 REED SMITH LLP

20  
 21 By \_\_\_\_\_  
 22 Heather B. Hoesterey  
 Attorneys for Defendant and Cross-Complainant  
 Wells Fargo Bank, N.A.  
 23  
 24  
 25  
 26  
 27  
 28

Management Conference Statements, and pursuant to their duties to preserve evidence that may be relevant to this action pursuant to the Federal Rules, as follows:

The parties do not contemplate any issues regarding the preservation of evidence as the scope of relevant documents is narrow, and relevant documents have been and will be disclosed in the parties' initial disclosures. The parties are aware of and hereby stipulate to abide by their responsibility under the Federal Rules to preserve evidence relevant to the issues reasonably evident in this action, including electronically-stored evidence, and have taken steps to preserve all such evidence and prevent destruction of any such evidence under any document or data destruction program that would otherwise prevent them from fulfilling their responsibilities.

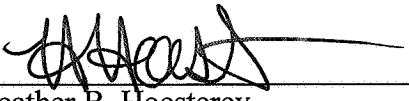
DATED: March \_\_, 2008

LAW OFFICES OF ROBERT KANE  
LEGAL SERVICES  
IN EAST PALO ALTO

By \_\_\_\_\_  
Robert Kane  
Shirley Hochhausen  
Attorneys for Plaintiff Audrey McNamara Nevis

DATED: March ~~28~~ 2008

REED SMITH LLP

By  \_\_\_\_\_  
Heather B. Hoesterey  
Attorneys for Defendant and Cross-Complainant  
Wells Fargo Bank, N.A.

REED SMITH LLP  
A limited liability partnership formed in the State of Delaware

1 DATED: March 28, 2008

2 BARDELLINI, STRASW, CAVIN & BUPP, LLP

3  
4 By Lee P. Bardellini  
5 Lee P. Bardellini  
6 Attorneys for Defendant Gateway Title Company

7 **IT IS SO ORDERED:**

8  
9 March 31, 2008



DOCSSFO-12510303.1

REED SMITH LLP

A limited liability partnership formed in the State of Delaware